



## Department of Energy

Official File

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

CORPORATE

August 9, 2004

In reply refer to: KDP-7

Mr. Don Carbonari  
10031 SW 36<sup>th</sup> Court  
Portland, OR 97219

RE: FOIA Request #04-049

Dear Mr. Carbonari:

This letter responds to your Freedom of Information Act (FOIA) request dated June 21, 2004 and designated as FOIA #04-049. The following information summarizes your request and what we are providing in response.

You requested a listing of BPA employees who have received a Quality Step Increase (QSI) since October 1, 2001. You also requested the month and year that the QSI was granted. You further state that if BPA cannot provide you with this information, you would like to be provided with the number of all QSIs granted at BPA listed by month and year since October 1, 2001, including the grade level of each employee.

We are withholding the names of the recipients of the Quality Step Increases because they are protected under Exemption 6 of the FOIA. Exemption 6 of the FOIA protects personnel, medical and similar files when disclosure would cause a clearly unwarranted invasion of personal privacy. 5 U.S.C. 552(b)(6).

In determining whether the names of QSI recipients are required to be released under the FOIA, we balanced the privacy interests in the information against the public interest served by the disclosure. Exemption 6 is intended to protect individuals from the injury and embarrassment that could result from unnecessary disclosure of personal information. In order to determine whether an agency record should be withheld under exemption 6 an agency must: (1) identify whether a privacy interest exists, (2) identify whether release of the document would further the public interest by shedding light on the operations and activities of the Government, and (3) weigh the identified privacy interests against the public interest in order to determine whether disclosure would constitute a clearly unwarranted invasion of personal privacy.

First, we have determined that a legitimate personal privacy interest exists for information that reveals the details of an employee's job performance. Both favorable and unfavorable details trigger this interest. Unlike some other types of performance awards, in order to be eligible for a QSI you must be a GS employee that received a "successful" rating-of-record *and* demonstrated sustained high quality performance that substantially and consistently exceeded the "successful" level. Therefore, revealing the names of QSI recipients would reveal details about the employee's performance such as the fact that the employee who was granted a QSI performed above and beyond the generic "successful" rating. Release of this type of information is likely to create concerns in the workplace with both the QSI recipients and their peers that may incite jealousies and cause discontent.

Second, we have determined that there is a legitimate public interest in ensuring that awards are fairly distributed and that agencies properly adhere to stated guidelines in distributing awards. However, release of the QSI recipient names will not significantly contribute to the public's understanding of BPA operations or activities, or shed light on the performance of BPA's statutory duties.

Third, we find the individual privacy interest in protecting the names outweighs any public interest in disclosure.

For the above reasons, BPA is providing you with a list of QSIs granted at BPA for the period of October 1, 2001 through July 31, 2004 including month, year and grade level in lieu of a listing of QSIs by employee name.

There will be no charge for the processing of this request.

If you are dissatisfied with this determination, you may make an appeal within 30 days of your receipt of this letter to the Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue S. W., Washington DC 20585. You must clearly mark both the appeal and envelope "Freedom of Information Act Appeal".

Sincerely,



Annie Eissler  
Freedom of Information Act Officer

Enclosure (1)